

REMARKS

Amendments to the Claims

With the present submission, claims 1, 5, 6, and 7 have been amended to correct certain typographic errors. Claims 5, and 11-16 have been amended to remove repetitive wording. Claim 6 has also been amended to correct the numbering after item (v). Claim 8 has been amended to remove the reference to “siNA” in item (ii). No new claims have been added.

These amendments have been made merely to perfect the pending claims without altering the scope of the claims as they were originally presented. As such, no new matter is introduced. Accordingly, Applicants respectfully request their entry.

Sequence Rules

Applicants thank the Office for acknowledging that the instant application complies with the sequence rules.

Drawings

Applicants further thank the Office for accepting the drawings submitted on February 10, 2006.

Rejections under 35 U.S.C. 112, second paragraph

At the outset, Applicants thank the Office for allowing instant claims 1-4, 6, 7, 9, 10 and 17-20. Whilst these claims are allowable in their current form, Applicants have made minor corrections of typographic errors in claims 1, 6 and 7. Because these corrections do not alter the claim scope, they should not affect the allowability of their respective claims.

Claims 5, 8, and 11-16 have been rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter. *See* Office Action, at page 2. Specifically, the Office states that claim 5 is confusing because the use of two consecutive terms “the” in step (viii). The Office also states that claim 8

is confusing because of the use of the phrase “to the single stranded siNA” in step (ii), and claims 11-16 are confusing because of the use of two consecutive terms “wherein” in these claims.

Applicants have removed one of the term “the” from claim 5. Applicants have also removed the term “siNA” in step (ii) of claim 8 in the present submission. Furthermore, Applicants have removed one of the term “wherein” from each of claims 11-16. These amendments should obviate the Office’s concerns and render claims 5, 8, and 11-16 allowable.

Conclusion

In view of the foregoing remarks, Applicants submit that all claims are in condition for allowance, which is respectfully solicited. The Examiner is urged to contact the undersigned at the telephone number below if he has questions or concerns.

Respectfully submitted,

Sirna Therapeutics
A Wholly Owned Subsidiary of Merck & Co.

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